

MOTION BY SUPERVISOR KATHRYN BARGER

March 12, 2019

Amendment of County Code Regarding Holding and Disposition of Unclaimed Property

California State Penal Code Section 2080 outlines obligations for dispositions of unclaimed property that has been turned in to law enforcement officials. The State maintains that if the owner does not obtain their property within 90 days, law enforcement shall “cause notice of the property to be published at least once in a newspaper of general circulation”. If after seven days following the publication, the owner does not come forward, the title vests in the person(s) who found the property.

County Code Section 4.40.050 prescribes specific department designees for items found and not retrieved following a three month period. Within these options for recourse, there is no allowance for the property to be returned to the “Good Samaritan” who finds property and returns it to law enforcement officials.

As often as can be made possible, it is important to incentivize good behavior. Rewarding those who do the right thing should be prioritized. The Sheriff’s Department annually receives a variety of unclaimed property and none of the findings serve to benefit law enforcement, with items going to the Probation Department, Treasurer’s Office, or being reverted to the purchasing agent.

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

BARGER _____

HAHN _____

MOTION BY SUPERVISOR KATHRYN BARGER

March 12, 2019

Page 2

I, THEREFORE, MOVE that the Board of Supervisors instruct County Counsel to amend County Code Section 4.40.050 to reflect California State guidelines, allowing for the release of unclaimed property to the finder, and report back to the Board with a revised ordinance in 60 days.

#

SUP:KB: ead